

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
MOHAMMED THANI A.T. AL THANI,
:

Plaintiff,
:

-v-
:

ALAN J. HANKE *et al.*,
:

Defendants.
:
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20 Civ. 4765 (JPC)

MARTIN JOHN STEVENS,
:

Plaintiff,
:

-v-
:

ALAN J. HANKE *et al.*,
:

Defendants.
:
-----X

20 Civ. 8181 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

On September 21, 2021, the Court compelled arbitration of Plaintiff Mohammed Thani A.T. Al Thani’s (“Al Thani”) claims against Sidney Mills Rogers III (“Rogers”), and stayed those same claims pending arbitration. 20 Civ. 4765, Dkt. 231. And on October 26, 2021, the Court “so ordered” a stipulation between Plaintiff Martin John Stevens (“Stevens”) and Rogers, pursuant to which Stevens’s claims against Rogers were stayed pending arbitration in accordance with and to the full extent set forth in the Court’s September 21, 2021 Order. 20 Civ. 8181, Dkt. 95. At the status conference on October 8, 2024, counsel for Rogers informed the Court that no arbitration has been initiated to date, nor has a demand for arbitration been made, by either Al Thani or Stevens in the roughly three years since the September 21, 2021 Order and the October 26, 2021

Stipulation. Dkt. 414 at 2:13-22.

If Plaintiffs intend to proceed with arbitration as to their claims against Rogers, they must do so promptly and in no event later than thirty days from the date of this Order. Failure to initiate arbitration within thirty days could result in dismissal of Plaintiffs' claims against Rogers with prejudice for failure to prosecute under Federal Rule of Civil Procedure 41. *See, e.g., Shetiwy v. Midland Credit Mgmt.*, No. 12 Civ. 7068 (RJS), 2016 WL 4030488, at *1-3 (S.D.N.Y. July 25, 2016), *aff'd*, 706 F. App'x 30 (2d Cir. 2017); *Dhaliwal v. Mallinckrodt PLC*, No. 18 Civ. 3146 (VSB), 2020 WL 5236942, at *2 (S.D.N.Y. Sept. 2, 2020); *Ventoso v. Shihara*, No. 19 Civ. 3589 (PAE), 2022 WL 19706, at *2 (S.D.N.Y. Jan. 3, 2022). Plaintiffs and Rogers are directed to submit a joint letter regarding the status of arbitration by November 18, 2024.

SO ORDERED.

Dated: October 14, 2024
New York, New York



JOHN P. CRONAN
United States District Judge